

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : 19Cr859 (DLC)
: :
: : ORDER
-v- :
: :
MICHAEL CAMPANA, :
: :
: :
Defendant. :
: :
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DENISE COTE, District Judge:

By Order of March 15, 2020, the parties were requested to confer as to whether the defendant's sentencing scheduled for March 20 should proceed in light of the COVID-19 outbreak. On March 18, the defendant filed a letter informing the Court that he wished to proceed with the March 20 sentencing.

The Court takes notice that the World Health Organization has described COVID-19 as a pandemic and that New York City has declared a state of emergency.¹ The Court also takes notice that New York State has continued to impose new measures to enforce

¹ World Health Organization, WHO Director-General's Opening Remarks at the Mission Briefing on COVID-19 (Mar. 12, 2020), <https://www.who.int/dg/speeches/detail/who-director-general-opening-remarks-at-the-mission-briefing-on-covid-19---12-march-2020>; City of New York, Office of the Mayor, Mayor de Blasio Issues State of Emergency (Mar. 13, 2020), <https://www1.nyc.gov/office-of-the-mayor/news/138-20/ma...>

social distancing in the interest of public health.²

Accordingly, it is hereby

ORDERED that the defendant shall confer with his counsel as to whether he wishes to proceed with the sentencing scheduled for March 20 at 2:30 pm by videoconference. If the defendant wishes to waive his constitutional right to an in-person sentencing, he must do so knowingly and voluntarily, as set forth in United States v. Salim, 690 F.3d 115, 122-124 (2d Cir. 2012).

IT IS FURTHER ORDERED that counsel for the defendant shall inform the Court by **March 20** at **9:00 am** as to whether he wishes to proceed by videoconference.

IT IS FURTHER ORDERED that if the defendant does not wish to proceed by videoconference, the March 20 sentencing is adjourned until **May 8, 2020** at **2:30 pm**.

Dated: New York, New York
 March 19, 2020



DENISE COTE
United States District Judge

² New York State, Novel Coronavirus, What You Need to Know (Mar. 19, 2020), <https://coronavirus.health.ny.gov/home>.